

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Tracey F. Carter,

Petitioner

v.

Cecilia Reynolds, Warden,

Respondent

Civil Action No. 1:13-cv-02170-TMC

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the petitioner *(name)* _____ recover from the respondent *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* _____ recover costs from the petitioner *(name)* _____.

☒ other: the petitioner, Tracey F. Carter, shall take nothing of the respondent, Cecilia Reynolds, as to the petition filed pursuant to 28 U.S.C. § 2254 and this action is dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Timothy M. Cain, United States District Judge, presiding, accepting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended dismissing the petition for lack of prosecution.

Date: October 28, 2014

ROBIN L. BLUME, CLERK OF COURT

s/A. Buckingham

Signature of Clerk or Deputy Clerk